

P 2872 \$
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Practitioner's Docket No. U 012599-9

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Pavel Ivanovich Lazarev, et al

Serial No.: 09/485,329

Group No.: 2872

Filed: February 7, 2000

Examiner:

For: DICHROIC POLARISER

Assistant commissioner for Patents
Washington, D.C. 20231

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07 NOV 2001

Legal Staff
International Division

RESPONSE TRANSMITTAL

1. Transmitted herewith is a Response for this application.

STATUS

2. Applicant is

- ☒ a small entity. A statement:
☐ is attached.
☒ was already filed.
☐ other than a small entity.

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

WILLIAM R. EVANS

(type or print name of person certifying)

Date: August 21, 2001

(Amendment Transmittal—page 1 of 4) 9-19

00000002 09485329

08/28/2001 TLWU11

55.00 OP

01 FC:215

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. 1.645 for extensions of time in interference proceedings, and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 390.00	\$ 195.00
<input type="checkbox"/>	three months	\$ 890.00	\$ 445.00
<input type="checkbox"/>	four months	\$ 1,390.00	\$ 695.00

Fee: \$ 55

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this is a conditional petition being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	Addit. Fee
						OR	
Total	*	Minus	**	=	x \$ 9 = \$		x \$18 = \$
Indep.	*	Minus	***	=	x \$40 = \$		x \$80 = \$
[] First Presentation of Multiple Dependent Claim					+ \$135 = \$		+ \$270 = \$
					Total Addit. Fee \$	OR	Total Addit. Fee \$

* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☐ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$ _____.

FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 55.00.
- ☐ Charge Account No. 12-0425 the sum of \$ _____.
- A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 12-0425.

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 12-0425



SIGNATURE OF PRACTITIONER

WILLIAM R. EVANS

(type or print name of practitioner)

Reg. No. 25,858

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Response to Decision on Petition Under 37 CFR 1.47(a)

The Decision on Petition Under 37 CFR 1.47(a) of May 24, 2001, required further factual proof that some of the joint inventors refused to execute the application or could not be reached after diligent effort and the last-known addresses of these inventors.

A Declaration of Alla Y Sakharova of August 3, 2001 is attached with the further factual proof and last-known addresses.

The Petition under Rule 47 for acceptance of the application on behalf of non-signing inventors is, therefore, renewed.

Respectfully submitted,

WILLIAM R. EVANS
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO.25,858(212)708-1930

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date: August 21, 2001

WILLIAM R. EVANS
(Type or print name of person mailing paper)

(Signature of person mailing paper)